BILL NO. S-81-05-11

SPECIAL ORDINANCE NO. S-131-81

AN ORDINANCE approving a contract between the City of Fort Wayne and GTE Data Services, Inc. for fire protection to premises outside the City.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated January 1, 1981, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and GTE Data Services, Inc. and the furnishing of fire protection by the Fort Wayne Fire Department to premises of GTE Data Services, Inc. outside the city limits, described as follows, to-wit:

Lots Number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the northeast quarter of the southeast quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, at the southwest corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of the City of Fort Wayne, Indiana.

At a cost to GTE Data Services, Inc. of $4,002.05, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The proceeds of such contract received by the City shall be deposited in the City "Fire Fighting Fund" pursuant to I.C. 18-6-8-2.

SECTION 3. This Ordinance shall be effective upon its passage and approval by the Mayor.

Vivian S. Schmidt
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY MAY 22, 1981.

Bruce O. Boxberger
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by U. Talarico, seconded by Schmidt, D., and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the ~~Council Chambers, City-County Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: 6-2-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Eisbart, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	0		1	
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.				X	
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: 6-9-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ZONING MAP)~~ (GENERAL) (ANNEXATION) (SPECIAL) ~~(APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ No. G-131-81 on the 9th day of June, 19 81.

ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of June, 19 81, at the hour of 11:20 o'clock A. M.,E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 11th day of June 19 81, at the hour of _____ o'clock P M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-81-05-11

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN ORDINANCE approving a contract between the City of Fort Wayne and GTE Data Services, Inc. for fire protection to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE ~~DO~~ PASS.

VIVIAN G. SCHMIDT, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

MARK E. GiaQUINTA

PAUL M. BURNS

ROY J. SCHOMBURG

6-9-81
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

#CA-158

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of January, 1981, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor, Common Council, Board of Public Safety, ("CITY") and ~~GTE DATA SERVICES CORPORATION~~ GTE DATA SERVICES INCORPORATED, a Delaware Corporation having its principal place of business in Tampa, Florida ("GTEDS").

WHEREAS, GTEDS is the owner of certain improvements upon real estate near but outside the corporate limits of CITY, described as follows:

> Lots Number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the northeast quarter of the southeast quarter of Section 14, Township 31 North, Range 12 ~~E~~ EAST Allen County, Indiana, at the southwest corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of the City of Fort Wayne, Indiana.
>
> The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon assessed real estate valuation of $386,100 and personal property valuation of $1,214,720 issued by the Washington Township Assessor's Office. The total assessed valuation being $1,600,820.

and, WHEREAS, GTEDS desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. From January 1, 1981 until December 31, 1981, upon the CITY'S Fire Department being notified that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, GTEDS shall pay to CITY at the rate of one quarter of 1% (.0025) on the first $2.5 million dollars of assessed valuation for tax purposes on the hereinabove identified as the premises. The hereinabove identified having an assessed total valuation of $1,600,820, the sum owing under this contract is $4,002.05. Said sum shall be payable in full upon execution of this contract.

3. GTEDS shall install in its premises and connect with CITY'S fire signal equipment such fire signal facilities and equipment as GTEDS and CITY'S Fire Department agree are advisable to enable GTEDS to directly signal said Fire Department of a fire on GTEDS premises. GTEDS shall routinely maintain and service such signal equipment.

4. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GTEDS buildings, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GTED operations on the premises so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) ~~so as to~~ make recommendations relative to fire prevention. GTEDS shall supply to the CITY'S Fire Department land, street and building plans and the layout of each building.

5. GTEDS shall furnish such water and hydrants as are reasonably necessary to meet expected fire fighting needs.

6. The CITY and the CITY'S Fire Department shall not assume any liability for the safety, wellbeing or destruction of any structures, buildings or the contents herein nor for individuals involved herein in the execution of the contract.

7. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and members of the Common Council, Board of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GTE DATA SERVICES INCORPORATED
~~GT&E DATA SERVICES CORPORATION~~

By _____
Vice-President and Controller

ATTEST:

_____ Vice President

CITY OF FORT WYANE, INDIANA

BY _____
Win C. Moses, Jr. Mayor

BOARD OF PUBLIC SAFETY:

BY _____
Chairman

BY _____
Member

BY _____
Member

I hereby certify that the foregoing contract was ratified and approved by the Common Council of the City of Fort Wayne, Indiana on June 9 1981.

_____
Charles W. Westerman, Clerk

5305

Admn. Appr. _____

DIGEST SHEET

8-01-05-11

TITLE OF ORDINANCE Outside the City Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire protection for GTE Data Services, Inc. They, in turn, will pay the City $4,002.05 which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive $4,002.05

EFFECT OF NON-PASSAGE The Fire Department will lose $4,002.05

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____